
Z-2281
C. THOMAS WALGAMUTH
SCHULTZ - WALGAMUTH PLANNED DEVELOPMENT
CB TO PDMX

STAFF REPORT
13 April 2006

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is requesting PDMX zoning for two lots in order to redevelop an existing four story building as a mixed use project with 22 condominium units that includes the option of adding a 5th floor and 6 new units for a total of 28 mixed use condos: 1st floor commercial; 2nd through 4th floors mixed commercial and residential; 5th floor residential. The project includes an off-site parking lot. There are two property locations: the building lot, commonly known as 216 N. 4th Street, on the northwest corner of 4th and Main Streets; and a single parking lot on the east side of 4th Street mid-block between Ferry and North Streets, in downtown Lafayette, Fairfield 20 (SE) 23-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

The properties in this case are zoned CB, Central Business, as is most of the property surrounding both sites. Eight properties located within the same large CB district, in downtown Lafayette, are zoned planned development. Six of the projects are mixed commercial and residential condominiums: Z-1759 (Plaza Childcare & Apartments); Z-1925 (Sharp Block); Z-2143 (Renaissance Place); Z-2247 (Cracker Factory); Z-2279 (Ball Building); & Z-2280 (Madison Building); two are residential condo projects: Z-1389 (Ferry Partnership); and Z-2171 (Queen Anne Courts). In 1999 the Area Plan Commission, on behalf of the City of Lafayette, property owners, merchants, and residents, filed an overall rezone for Downtown Lafayette (Z-1858). The Downtown area, roughly bounded by the Wabash River on the west; Ferry Street on the north; former Norfolk Southern Railroad corridor on the east, and South Street on the south, included the properties in this case. Zoning adjacent to the Downtown is a mix of GB, NB, NBU R2U and R3U.

AREA LAND USE PATTERNS:

The two lots in this request are currently used as the developer intends them to be if rezoned. Proposed Lot One contains the Schultz-Walgamuth Building, an existing 4 story structure with both commercial and residential uses, located on the courthouse square. Proposed Lot Two, a block and a half north of the square, is used for parking by the tenants who are currently renting units in the Schultz-Walgamuth Building. Surrounding land use includes a mix of retail, restaurant, government, service, office and residential in historic multi-story buildings. The Tippecanoe County Court House is located across Main St. from the Schultz-Walgamuth Building.

TRAFFIC AND TRANSPORTATION:

Proposed Lot 1 is located on the corner of Main and 4th Streets, both primary arterials according to the *Thoroughfare Plan*. An alley behind the building, to the north, connects 4th and 3rd Streets. Proposed Lot 2 is located on 4th Street mid-block between Ferry, a secondary arterial,

and North Street, and urban local. Access to the lot is from 4th Street or the alley located on the east side of the lot. Assigned parking for the project was negotiated at one space per unit. Approval of the rezone request includes an option to add a parking deck over the existing lot although the additional deck is not a required element of the negotiated parking standard.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

All city utilities are available and currently serve both lots. Street trees on Lot 1 already exist. One missing street tree on Lot 2 will be replaced.

The proposal for this development seeks to permit the existing combination of uses in the building to continue. If approved, commercial and residential uses would be allowed on the same floor, subject to some restrictions.

The negotiated parking standard is one space per condo based on current tenant demand for parking. In keeping with the CB standard for commercial uses, no off-street parking is shown for customers of non-residential condos. Plans include the option of adding a second level or parking deck to the lot at Ferry and 4th. The developer would like the option to add a parking deck to the parking lot in this case if demand supports the cost.

STAFF COMMENTS:

The extent of mixed use in this proposed project is a departure from the planned developments approved to date. Historically, the standard model for downtown PDs has been first floor commercial; upper floors residential. The plan in this case would permit a pre-existing combination of uses in the building to continue with some restrictions. If approved, commercial and residential uses would be allowed next door to one another rather than separated by floors.

The plan shows first floor and mezzanine use would remain exclusively commercial. The second floor, currently all commercial, would have a cap of five units and permit conversion of existing units to residential while still allowing non-residential units in the mix. Commercial use would be restricted to those permitted in the CB zone with a list of exceptions and customer hours limited to 8 AM to 7 PM. The third, fourth and fifth floors are shown with residential use except for units 312, 314 and 414 which lack a direct fresh air source making them ineligible for residential use without a variance from the state. A short list of allowable uses is included in the plan for these three units. Unit 408 is presently an art studio which may continue as long as the current tenant rents or purchases the unit. When the space is sold or leased to another party it must be as a residential unit. Any residential unit may engage in a home occupation with a short list of prohibited uses and hours restricted to 8 AM to 7 PM.

As this building now exists, in the CB zoning district, uses mixed through out the building are permitted, with the exception of residential use on the ground floor. Experience with his tenants has convinced petitioner that it is possible to combine residential and commercial uses on the same floor without negative results. APC and city Staff on the other hand have never negotiated a mixed-use PD that did not divide use by floors. Under the circumstances staff saw a need to separate potentially incompatible uses. Staff's main concern in this was whether the current success could be attributed to the fact that the units are rented not owned. If two tenants, one residential the other commercial, experience a problem with their neighbor, one would simply not renew their lease. One question is; will the success witnessed in this building of rental units translate to owner occupied condos with oversight from a unit owner's association? Another is; are we setting a precedent on an unproven idea?

A great deal of time was spent considering the consequences of this experiment. Permitting the unusual mix finally came down to several key issues:

1. Success of pre-existing uses;
2. Limiting the number of units per floor;
3. Restricted uses and limited hours of operation;
4. Use for three residentially ineligible units on 3rd and 4th floors;
5. Unique urban location of the courthouse square.

Ultimately staff agreed to language that would restrict use, cap the number of units per floor, limit hours of operation and offer protection to condominium owners while providing the developer a greater measure of flexibility than normal. In what may be a leap of faith staff will support this project based on its location and on the spirit of what is stated in the intent section of the UZO chapter on planned developments: "PD zoning may be used to foster innovative and diverse design in land development...", "The Commission's goal is to provide a widening variety of environmentally appropriate residential, nonresidential and mixed-use developments to meet the needs of this community."

If approved, this proposal will join others in a growing trend of urban ownership opportunities within mixed-use projects for those who want to live downtown.

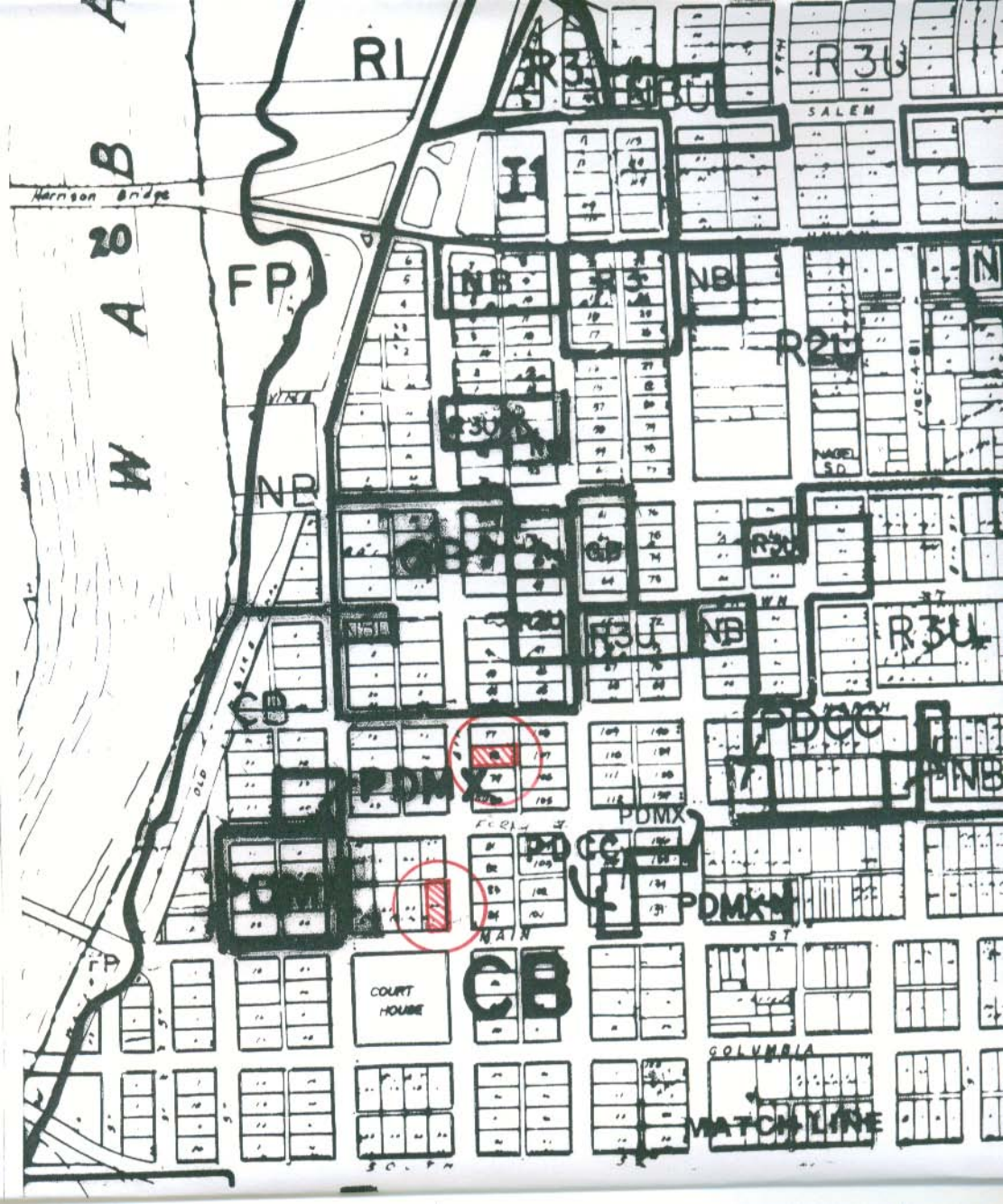
STAFF RECOMMENDATION:

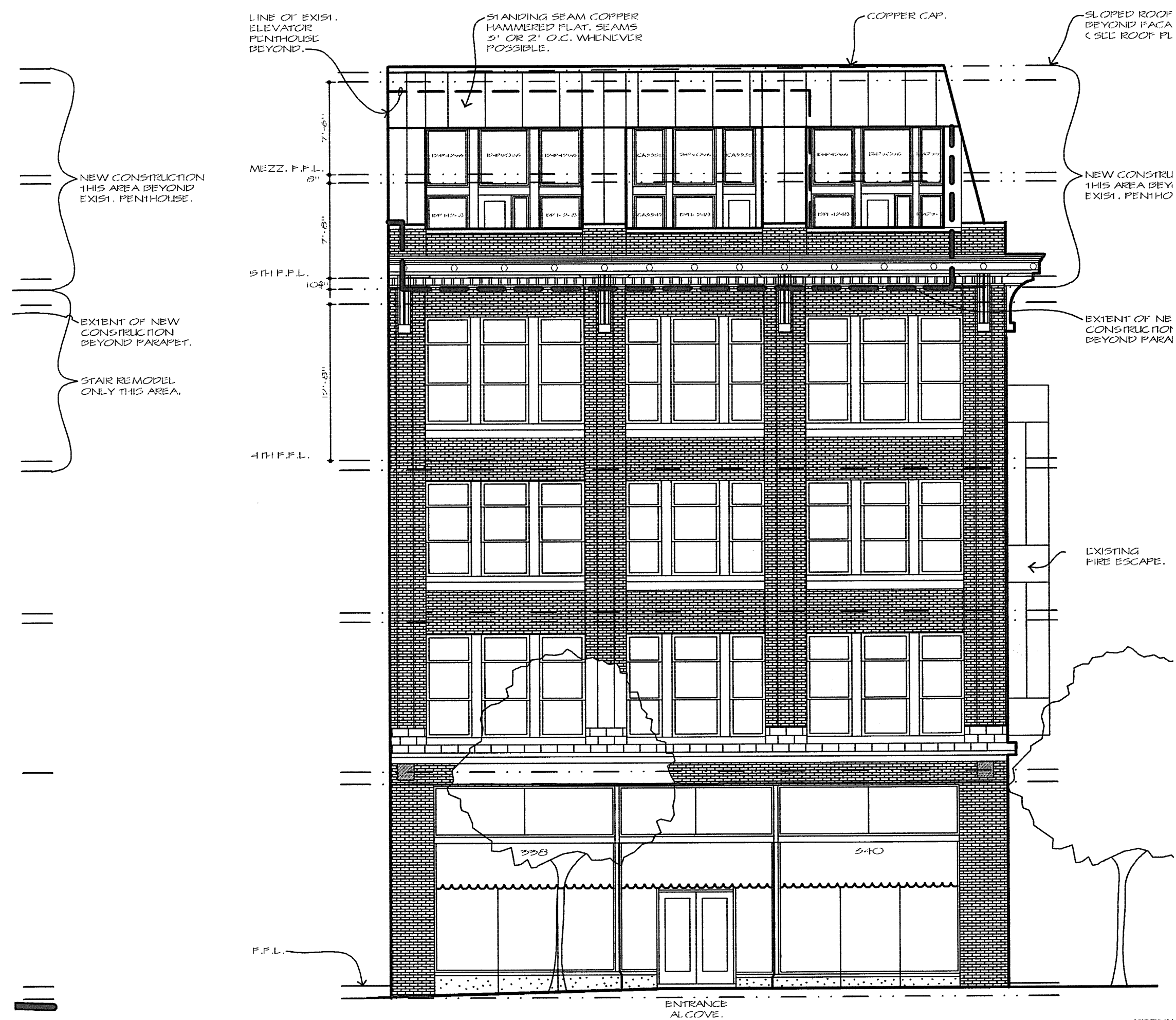
Approval, contingent on meeting all requirements of *UZO 2-27-10* for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per *UZO Appendix B2-2*;
3. A final plat per *UZO Appendix B-3-2* as applicable;
4. Identify the Schultz-Walgamuth Building lot as Lot 1 and the parking lot as Lot 2 on the final plat;
5. Label the option to add the fifth floor, phase two, and the option to add a second level to the parking lot, phase three. File final detailed plans for these two options before seeking a improvement location permit from the city;

Additional Conditions:

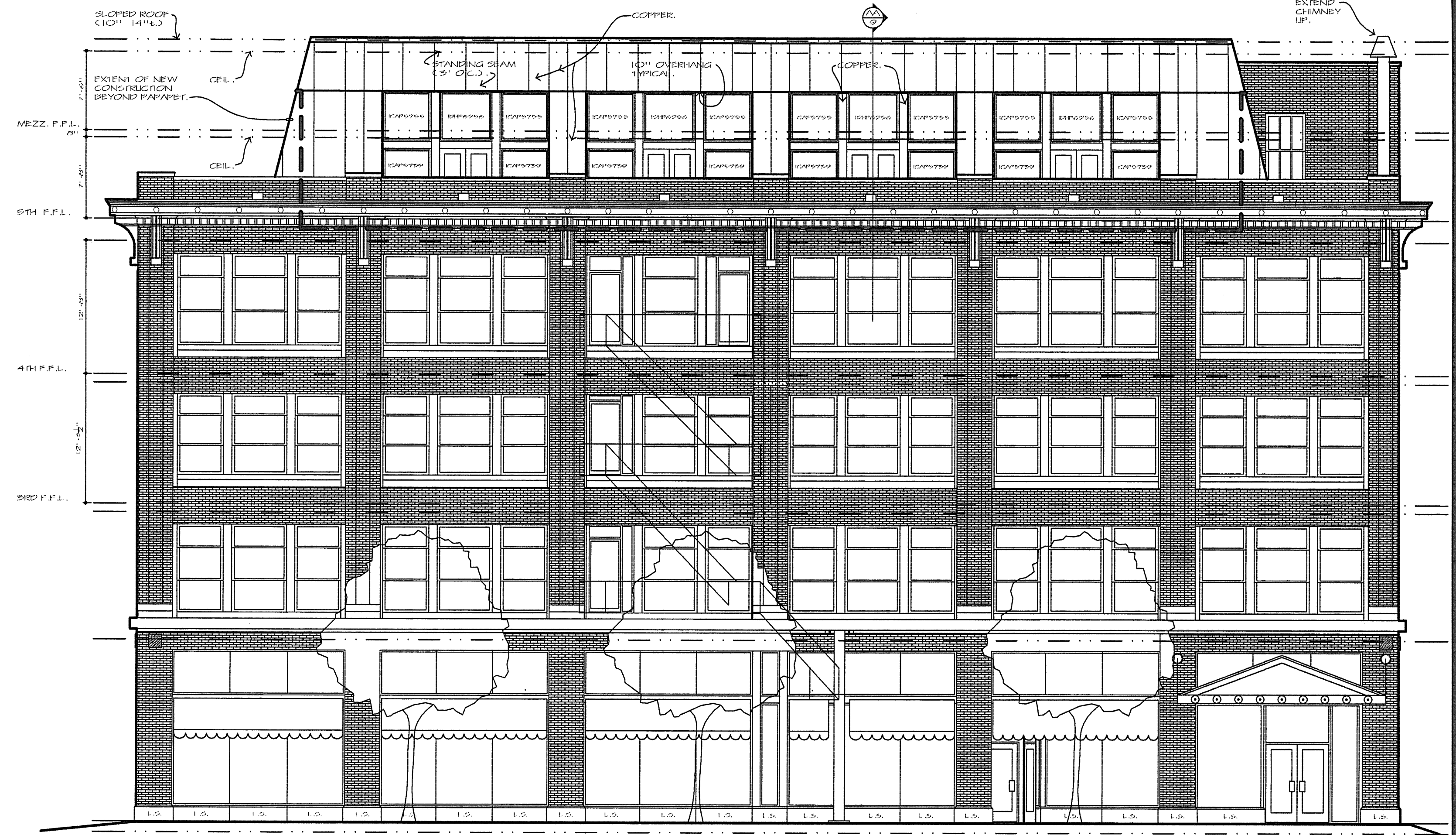
6. Proof that the Articles of Incorporation for the Condo Owners Association of The Schultz-Walgamuth Building Planned Development Inc. are filed and approved by the Indiana Secretary of State.





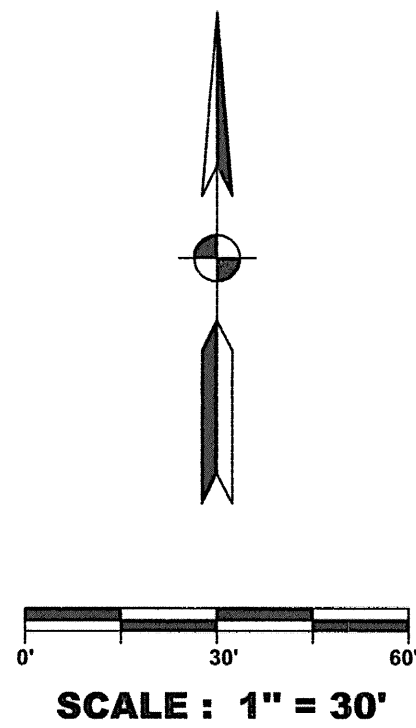
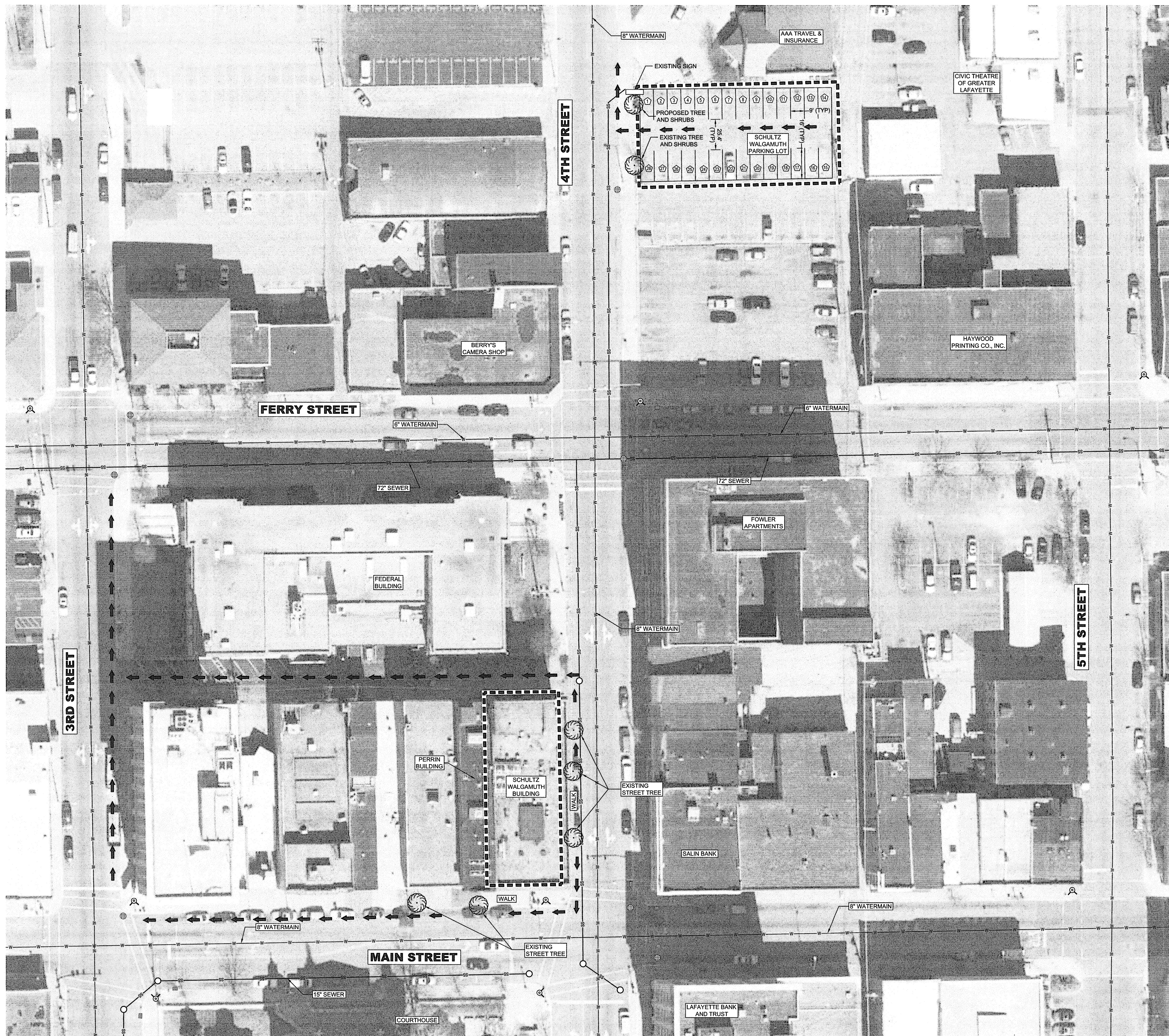
SOUTH FACADE ELEVATION

CONSTRUCTION
DETAILS
SHOWN
ARE FOR
REFERENCE
ONLY
AND
DO NOT
CONSTITUTE
A CONTRACT



EAST FACADE ELEVATION

CONSTRUCTION
DETAILS
SHOWN
ARE FOR
REFERENCE
ONLY
AND
DO NOT
CONSTITUTE
A CONTRACT



LEGEND

		= EXISTING WATER LINE
		= EXISTING FIRE HYDRANT
		= EXISTING SEWER
		= EXISTING DRAINAGE PATH
		= EXISTING CURB INLET
		= EXISTING DRAINAGE INLET
		= EXISTING STREET TREE

Parking Space	Unit Address	Suite or Apartment Number
1	338 Main Street	N/A
2	340 Main Street	N/A
3	214 North 4th Street	N/A
4	216 North 4th Street	Apt. 300
5	217 North 4th Street	Apt. 302
6	218 North 4th Street	Apt. 304
7	219 North 4th Street	Apt. 307
8	220 North 4th Street	Apt. 308
9	221 North 4th Street	Apt. 310
10	222 North 4th Street	Apt. 312
11	223 North 4th Street	Apt. 400
12	224 North 4th Street	Apt. 502
13	225 North 4th Street	Apt. 504
14	226 North 4th Street	Apt. 508
15	227 North 4th Street	Apt. 509
16	228 North 4th Street	Apt. 510
17	229 North 4th Street	Apt. 514
18	230 North 4th Street	Apt. 402
19	231 North 4th Street	Apt. 404
20	232 North 4th Street	Apt. 406
21	233 North 4th Street	Apt. 408
22	234 North 4th Street	Apt. 410
23	235 North 4th Street	Apt. 414
24	236 North 4th Street	Suite 210
25	237 North 4th Street	Suite 206
26	238 North 4th Street	Suite 204
27	239 North 4th Street	Suite 202
28	240 North 4th Street	Suite 201

NOTE

1. THE LOCATIONS OF WATER AND SEWER FACILITIES SHOWN HEREON IS BASED ON UTILITY MAPS PROVIDED BY THE CITY OF LAFAYETTE AND VISUAL INSPECTION. THEIR LOCATIONS ARE APPROXIMATE ONLY.
2. PARKING SPACES ARE ASSIGNED TO UNITS AS SHOWN ON THE PARKING LOT TABLE; HOWEVER, THESE ASSIGNMENTS CAN BE CHANGED BY THE SHULTZ WALGAMUTH PLANNED DEVELOPMENT UNIT OWNERS ASSOCIATION.

JOB NO: 05552	SHEET: 3	OFFICE INFORMATION:		 Jester and Associates Inc. LAND SURVEYING AND ENGINEERING	OFFICE LOCATION:		SCHULTZ - WALGAMUTH PLANNED DEVELOPMENT 216 NORTH 4TH STREET, SUITE 207 LAFAYETTE, INDIANA 47901-1320 UTILITY DRAINAGE LANDSCAPE & SITE PLAN	LOT NUMBER SEVENTY-EIGHT (78) AND 49 FEET OFF OF THE ENTIRE EAST SIDE OF LOT NUMBERED SIXTY-FOUR (64) IN ORIGINAL PLAT TO THE TOWN, NOW CITY OF LAFAYETTE, FAIRFIELD TOWNSHIP, TIPECANOE COUNTY, INDIANA	NO.	REVISION:	DATE
		PROJECT: 05552 JDL & SITE PLAN.dwg									
		DRAWING DATE: Feb. 22, 2005									
		DESIGN BY: JRF									
		DRAWN BY: JRF									
		CHECKED BY: TAB									
		FIELD BOOK: N/A									